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CONFIDENTIAL
EXHIBIT 5

Sally Ness
v.
City of Bloomington, et al.

Case No. 19-cv-2882 (ADM/DTS)
CONFIDENTIAL/PROTECTED NON-PUBLIC

Jones Decl. Ex. 5 – Filename: AXON_Body_2_Video_2019-10-30_1041

SPEAKER	TRANSCRIPTION	TIME	OTHER AUDIO UTILIZED FOR TRANSCRIPTION PURPOSES
Detective Martin	Did you say 8125?	00:43	
Detective Boomer	8127.	00:45	
Detective Martin	Oh. 8127, oh, okay.	00:46	
Detective Boomer	Okay. I'm taking it off the stealth mode indicator lights. Okay so it is recording. We are live. Going back to stealth mode just 'cause I... If you're recording then the beeping - you hear the beeping and the buzzing in the recording. Okay. I'll put us out.	00:50	
Detective Martin	Okay.	01:09	
Detective Boomer	5283. You show myself and 2-12 out at 8127 Oakland on a follow-up. No checks needed.	01:15	
Dispatcher	Copy.	01:29	

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Detective Boomer	Oh, you have the key. Chill [inaudible].	01:38	
Caitlin Gokey	Is there snow this week?	01:52	
Detective Boomer	They said maybe, um, ah, ah, th-th-their reports are that it's supposed to be goin' a little farther north now, like it's gonna stay north, but.	01:54	
Caitlin Gokey	[inaudible]	02:01	
Detective Boomer	Did you see that, ah, I don't know if you watch the news a lot about or care about, um, Wild Mountain is open.	02:03	
Caitlin Gokey	It is?	02:09	
Detective Boomer	Yes.	02:10	
Caitlin Gokey	They are right now?	02:10	

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Detective Boomer	They have like three of their front, ah, three of their front runs are open for snowboarding and skiing, and Wil-, um, Wild Mountain, Buck Hill...	02:11	
Caitlan Gokey	Is open?	02:24	
Detective Boomer	...is starting to make snow already. They've already have the snowmakers on it.	02:25	
Caitlin Gokey	I guess it is frozen enough to keep it frozen.	02:29	
Detective Boomer	Oh, yeah. How long is it going to take to answer the door? Oh.	02:30	
Larry Frost	Hi.	02:34	
Caitlin Gokey	Hi.	02:35	
Detective Boomer	Hi is Sally home?	02:36	

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Larry Frost	Hello. [overlapping] Come on in.	02:36	
Detective Boomer	Hi, And you are?	02:37	
Larry Frost	Larry Frost.	02:39	
Detective Boomer	Oh, hi. Detective Boomer. Nice to meet you.	02:40	
Larry Frost	Nice to meet you. We were just about to call you.	02:41	
Detective Boomer	Oh yeah, we got pulled away on another um, another case, so we're just making it here now. This is, ah, Detective Martin, Caitlin Gokey all from the police department.	02:43	
Caitlin Gokey	Hi. [overlapping]	02:47	
Larry Frost	Detective Martin you are with who?	02:54	

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Detective Martin	Bloomington.	02:55	
Larry Frost	[inaudible]	02:55	
Caitlin Gokey	Caitlin, Bloomington police department. Hi.	02:56	
Larry Frost	And what do you do?	03:00	
Caitlin Gokey	I'm Community Liaison.	03:00	
Larry Frost	Community Liaison? Okay, well have a seat.	03:02	
Detective Boomer	Well, so the first thing I need to tell you is, I told you I need to talk to you, right?	03:05	
Larry Frost	Right.	03:07	

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Detective Boomer	Okay, so I have to talk to you separately and by yourself before I allow you to sit with Sally.	03:09	
Larry Frost	Well, first of all, you don't have to allow me to do anything. She's my client, I can sit with her if I want.	03:15	
Detective Boomer	Okay, that's fine.	03:19	
Larry Frost	We can talk separately.	03:20	
Detective Boomer	Well I'm not gonna uh allow an interview with her until I interview you. That's my point.	03:21	
Larry Frost	Okay, you didn't tell us that ahead of time. I didn't know that.	03:24	
Detective Boomer	I explained to you that you were also mentioned as a suspect. I have an obligation to talk to you, prior to ta - talking to the next defendant.	03:30	

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Larry Frost	You explained to me that I was a co-defendant. You said nothing about having to talk to me ahead of her. At any time.	03:35	
Detective Boomer	Kay. [overlapping] alright.	03:40	
Larry Frost	And, and had you done that, I'd be perfectly willing to do that.	03:42	
Detective Boomer	Mm-hmm.	03:43	
Larry Frost	But, ah, it's kind of awkward now.	03:45	
Detective Boomer	Why?	03:47	
Larry Frost	'Cause time. Um, she has only, she's got her children coming at a certain time. You guys got out here a little late and we're up against time constraints.	03:48	

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	I don't why you need to examine me first. Well, okay nevermind. I can guess why. But that's, uh, it's awkward at this point to do that.		
Detective Boomer	Mm-hmm.	04:03	
Larry Frost	'Cause I think we're gonna run out of time.	04:05	
Detective Boomer	Mm-hmm.	04:07	
Larry Frost	I don't know how long, or you don't know how long an interview with me is going to take, obviously.	04:09	
Detective Boomer	That depends on you.	04:10	
Larry Frost	Well, yeah. Um, so maybe we better reschedule because that's not the plan and we're not prepared to do that.	04:12	
Detective Boomer	Okay. Well, I'm not going to go any further out with this case. I have an obligation and move forward with the case at this point. So today is the	04:18	

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	day that we scheduled an interview. I don't know how much time you have, but are you willing to give a statement regarding your actions in this case?		
Larry Frost	Um, I'm willing to consider it, I don't know what questions you're going to ask, I guess.	04:34	
Detective Boomer	Obviously.	04:38	
Larry Frost	So.	04:39	
Sally Ness	Excuse me. Weren't you going to get some paper?	04:41	
Larry Frost	Well, yeah. Do you have the complaints with you?	04:43	
Detective Boomer	I don't have a signed a complaint yet, no. I haven't charged the case out yet. This is the preliminary investigation.	04:45	

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Larry Frost	Well no. [overlapping] You received a complaint somehow, that you're investigating.	04:48	
Detective Boomer	Mm-hmm. Right. [overlapping]	04:49	
Larry Frost	I asked you to bring those.	04:50	
Detective Boomer	Mm-hmm, no, I don't recall that. But I don't have an obligation to provide you with any police reports prior to the case being charged by the County Attorney's office. We don't do that. It's an open criminal investigation, so nothing is released at this point.	04:52	
Larry Frost	Okay. Um.	05:04	
Sally Ness	Hmm. Can you offer, what they can... On the phone call you said there were two incidents. And then you're now talking about incident [inaudible]. Can you give us that information?	05:05	

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Detective Boomer	Sure, it was on the date of September 23rd, when you two were over at the park, photographing the children.	05:17	
Larry Frost	Okay well first of all, it's not accurate to say we were at the park photographing the children. Sally didn't do any photographing.	05:23	
Detective Boomer	Okay. That's, th—th—that's, that's one of the reports that I have. There are, there are, there are four reports, um, that your name was brought up of incidents of harassment.	05:27	
Sally Ness	So you said two, you were coming over for two. So what's the other one?	05:40	
Detective Boomer	There were four reports that I'm investigating involving incidents of harassment this time.	05:44	
Larry Frost	And those.	05:51	

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Sally Ness	[inaudible] four [overlapping]	05:51	
Detective Boomer	My question to you two is are you willing to give a statement at this time or are you not? That's it's a so, it's a, it's a very easy question, do you want to give a statement, Sir, or do you not? [overlapping]	05:54	
Sally Ness	Can you give the four incident dates?	06:01	
Larry Frost	Here...	06:02	
Detective Boomer	I'm not going to release that right now. I'll talk to you about it during your interview. Th-th-th- I don't know if you're familiar with the way criminal investigations operate, but we don't interview defendants together. I have never done that. Have you ever done that in your 20 some years? I have never done it in my 20-some years. We don't interview co-defendants together, that's not how it works.	06:03	
Larry Frost	Detective Boomer, when I spoke with you.	06:27	

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Detective Boomer	Mm-hmm.	06:28	
Larry Frost	You said you wanted to interview my client first. Then we, then it came out that we were co-defendants and you said you needed to get permission from someone at the County.	06:29	
Detective Boomer	I needed to get legal guidance on how to proceed.	06:36	
Larry Frost	From someone at the county. [overlapping]	06:36	
Detective Boomer	Mm-hmm.	06:37	
Larry Frost	You said, well you could interview us together. That, those were your exact words.	06:40	
Detective Boomer	Mm-hmm.	06:44	
Larry Frost	And you came back and you said, yes, we could do that.	06:45	

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Detective Boomer	I said we can conduct the interviews. I did, I'm not gonna tell you that I need to interview you first. Why would I?	06:47	
Larry Frost	Well, okay, that's not my point, I'm not trying to trap you, I'm trying to get to get to a point here.	06:52	
Detective Boomer	Okay.	06:56	
Larry Frost	But you set up these expectations. You didn't tell me that, any of this.	06:58	
Detective Boomer	Well, I'm sorry that you're not fully prepared to be a defendant in this, but I don't generally give my suspects a heads up on how I'm going to proceed with my investigation and how I'm going to interview them either. I-I'm not going to offer you any additional accommodations that I would-wouldn't offer a person in any other criminal investigation. We show up at people's houses quite often and just ask them questions and if they're willing to answer the questions, they do. If they're not, they're not.	07:02	

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	We call them into the police department for formal interviews. We don't come to people's houses for a formal interview on criminal investigations. I made that accommodation for you. Okay? I worked with you on this. I am not going to give you any complaints. I'm not going to give you any reports. I requested that I have an interview with you. Would you like to give a statement to me regarding your involvement on September 23rd over at Smith Park? Yes or no? That-it's as simple as that.		
Larry Frost	I am willing to give you a statement, but not now because I didn't know any of this was going to happen. Um, and I have, I can certainly give you a statement.	07:57	
Detective Boomer	Well, I apologize. I told you I needed to talk to you, I needed to interview you. I did - I did tell you that. I told you.	08:04	
Larry Frost	Yes, you did. [overlapping]	08:08	

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Detective Boomer	I told you were a suspect. Mm-hmm. [overlapping]	08:10	
Larry Frost	Yes, you did. [overlapping]	08:11	
Detective Boomer	Mm-hmm.	08:11	
Larry Frost	Mm-hmm. But you didn't say anything.	08:12	
Detective Boomer	[overlapping] I'm sorry I didn't prepare you for an interview. I don't know what you want. I'm, I'm not sure what you're asking me to do prior to interviewing you.	08:13	
Larry Frost	Let me talk to Sally for a second. Sally can you step you step this way?	08:20	
Detective Boomer	[inaudible] Look here.	08:36	
Unknown	Wow. Yeah those things are pretty cool. [inaudible]	08:49	

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Unknown	[inaudible]	08:52	
Caitlin Gokey	[inaudible] law school [inaudible]	08:56	
Detective Boomer	[inaudible] worried at this point. [inaudible]	09:08	
Larry Frost	Go ahead and sit down. I will give you, I will let you ask your questions. I don't, I'm not going to give you a statement in the sense that I'm just going to talk to you. Tell me what you want. You want Sally to leave?	09:14	
Detective Boomer	Yep. We need to do a private interview with you and then you can sit with her if that's what you choose to do.	09:22	
Larry Frost	Can you go downstairs Sally? Okay. Have a seat. Or you don't have to have a seat, but you may have a seat.	09:26	
Detective Boomer	That's fine. Thank you.	09:34	

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Unknown	[inaudible]	09:36	
Detective Boomer	Huh?	09:37	
Unknown	[inaudible]	09:37	
Detective Boomer	Yeah.	09:37	
Detective Boomer	I understand that, um, there was a complaint made and I gave you the date which was September 23rd of 2019. I'm going to turn the [inaudible]...And I am going to turn on my tape recorder so that we can have a records of this [inaudible] but it's actually a digital recorder.	09:40	
Larry Frost	You're dating yourself.	10:03	
Detective Boomer	I know, for sure.	10:04	
Larry Frost	For what it is worth, I still say tape recorder too.	10:08	

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Detective Boomer	The date is October 30, 2019. Time is 10:51 hours. Location 8127 Oakland. Detective Boomer, also present Detective Martin, ah, Caitlin Gokey. Ah, file number 19009444.	10:10	
Larry Frost	Is that Caitlin Gokey?	10:26	
Caitlin Goeky	Gokey.	10:27	
Larry Frost	Gokey.	10:28	
Detective Boomer	So, I am just going set that down there so. Um, so just for the record, what's your full name, sir?	10:29	
Larry Frost	Larry Alan Frost	10:35	
Detective Boomer	And is it Alan with one l or two?	10:37	Audio recording of Frost interview 00:29

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Larry Frost	One I	10:39	Audio recording of Frost interview 00:30
Detective Boomer	So Alan e-n or a-n [inaudible]	10:40	Audio recording of Frost interview 00:32
Larry Frost	[inaudible] A-L-A-N	10:41	
Detective Boomer	And is it Larry L-A-R-R-Y?	10:42	
Larry Frost	Yes. And it is not short for Lawrence.	10:44	
Detective Boomer	Frost F-R-O-S-T?	10:47	
Larry Frost	Correct.	10:50	
Detective Boomer	And when is your birthday?	10:50	

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Larry Frost	12, February 1950. Sorry.	10:51	
Detective Boomer	Nope, that's fine. And a current address for you, sir?	10:55	
Larry Frost	The address on my driver's license, here's my driver's license.	10:57	
Detective Boomer	How about a contact number? Just for the record.	11:02	
Larry Frost	612-839-5132. Your welcome to make a picture of that and save the trouble.	11:03	
Detective Boomer	Mm-hmm, Ah-huh. [overlapping] Five, one, two, three, West 98 th , Street in Bloomington. Okay. Apartment 1-1-1. Is that, is that the strip mall?	11:14	
Larry Frost	Yeah.	11:29	
Detective Boomer	Okay. So that's your work address?	11:29	

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Larry Frost	Yes.	11:32	
Detective Boomer	Okay, and what's your home address?	11:33	
Larry Frost	8035 West 86 th Street Circle	11:36	
Detective Boomer	Ah-huh [overlapping] Circle, Street Circle. And that is 55438?	11:37	
Larry Frost	Yes. Now I ask you a question. If this is going into public record the whole point in using this as my address...	11:46	
Detective Boomer	Mm-hmm.	11:51	
Larry Frost	...under relevant state law is to protect of my identity.	11:51	
Detective Boomer	Mm-hmm. [overlapping]	11:54	

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Larry Frost	So this is going to be public record, ah, piece of data after they end the investigation?	11:55	
Detective Boomer	I don't know [inaudible] redact [inaudible] addresses. I don't handle that part. Okay, so you invited us over here. This is actually the home of Sally Ness, is that correct?	12:01	Audio recording of Frost interview 01:52
Larry Frost	You asked for an interview and we agreed to meet you here for the interview, that's correct.	12:19	
Detective Boomer	Okay. So just have it clear that you don't have to answer my questions. You're free to leave at any time. You're not under arrest. I'm not going to arrest you today. This is a free and, um, voluntary statement, is that correct?	12:22	
Larry Frost	That is correct.	12:33	

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Detective Boomer	Okay. So can you tell me what, first of all what is your involvement with Sally?	12:33	
Larry Frost	My involvement with Sally is as her attorney.	12:40	
Detective Boomer	Okay. Um, and okay, and an attorney in what legal matter?	12:42	
Larry Frost	The generalation of Francis Smith Park and the continuing violations of the law by, by the Dar Al Farooq Mosque and Community Center.	12:46	
Detective Boomer	Okay. Um, so you're, are you her criminal defense attorney or are you?	12:56	
Larry Frost	No. [overlapping] I'm not a criminal attorney. I am a civil attorney.	13:02	
Detective Boomer	A civil attorney. Okay.	13:04	
Larry Frost	Civil attorney in constitutional law.	13:05	

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Detective Boomer	Ok. So, I'm gonna just ask you about September 23, 2019. Do you recall anything specific about that date? Does that date ring a bell to you?	13:08	
Larry Frost	Um, to tell you the truth, no. I'm assuming that's the day I was, I was with Sally at Smith Park but I really don't [inaudible], without my calendar.	13:17	
Detective Boomer	Yeah. So yes. So, ah, we have a report, um, and photos and video of you over at Smith Park with Sally on that date. Is that...	13:24	
Larry Frost	I was at Smith Park with Sally, I think that's the date.	13:35	
Detective Boomer	Mm-hmm. Um.	13:38	
Larry Frost	It may sound strange, but I don't get the date, without my calendar. Literally I don't remember where I was on a certain date.	13:39	

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Detective Boomer	Um, sure. [overlapping] Alright. So, um, well I-I-I have documentation that you were over at Smith Park on September 23, 2019...	13:39	
Larry Frost	Right. Oh, [inaudible and overlapping]	13:48	
Detective Boomer	...around 11, 11:00 in the morning.	13:51	
Larry Frost	[inaudible and overlapping]	13:53	
Detective Boomer	Okay. Can you tell me what your purpose was over there on that day?	13:55	
Larry Frost	Yes. Sally's, ah, [inaudible]_ had this. She has four children, four grandchildren, under three]. And she takes them to the park. It's the only park that Sally can get to.	13:58	Audio recording of Frost interview 03:54
Detective Boomer	Mm-hmm [overlapping]	14:07	

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Larry Frost	...to take the children out for large muscle activities. And she's been concerned about their safety because there's a, when the ah, Success Academy let's out there's a lot of kids. And doing what kids do.	14:07	Audio recording of Frost interview 03:58
Detective Boomer	Mm-hmm.	14:17	
Larry Frost	They run. Being raucous. And when they get a large muscle equipment, um, it's, it's she thinks dangerous to kids. Because jostling and you know that kind of thing with 3-year-old kids versus 10, 11, 12-year-old kids.	14:18	
Detective Boomer	Mm-hmm. [overlapping]	14:26	
Larry Frost	So I was there to, first of all, I was there because the threat of harassment by the City of Bloomington. Repeated, um, statements by Bloomington police officers that use of a public park to take photographs constituted harassment, ah, had frightened her. She's terrified. Ah, and I'm not terrified so I went to take the pictures for her to specifically indicate whether there was any threat, to get photographic evidence of whether or not there was any health threat to the children, ah, of hers children, ah, her grandchildren. This has been sp-specifically	14:29	

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	<p>pursuant to guidance from the State about what children are allowed to play together on equipment. And at a school for example, those ages groups aren't allowed to mix. So, she had some basis in the law for concern as well as just normal concern for her kids.</p> <p>That was the purpose for my being there. For my being there that day, I want to emphasize Sally took no pictures that day. Didn't have a camera with her as far as I know.</p>		
Detective Boomer	Okay. [overlapping] Okay. Um, so the purpose was to go over and watch the children play and see if they were injured on the equipment? I'm confused. [inaudible]	15:27	
Larry Frost	If there was a threat. If there was a threat to them. A threat in the sense of a safety hazard.	15:37	
Detective Boomer	Mm-hmm. [overlapping] Mm-hmm. I get it. Okay Were any safety hazards observed?	15:39	

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Larry Frost	Yeah, I think so. I mean again State guidance indicates that 3-year-olds shouldn't be playing on large muscle equipment with 10-11-12 year-olds so that's not particularly surprising.	15:45	
Detective Boomer	Ok. And so what were you photographing?	15:54	
Larry Frost	I was photographing what I just said, her children, her grandchildren.	15:58	
Detective Boomer	Were you photographing the other children?	16:03	
Larry Frost	Did other children appear the in the photographs? Maybe. I have to look back and review the photographs I guess.	16:06	
Detective Boomer	Okay. Um. So you don't know if you're actually photograph- you're telling me you don't know if you're actually photographed other children?	16:10	

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Larry Frost	I-there's probably [inaudible], but, but I'd have to go back and look for sure. Again, you take a picture of a park for example...	16:17	
Detective Boomer	Okay. [overlapping] Mm-hmm.	16:23	
Larry Frost	...there's a lot of people in the park.	16:23	
Detective Boomer	Mm-hmm. Um. And what sp-sp-specifically did you tell principal, ah, the principal of this school that you were taking photographs of? Did you, did you indicate to him that you were taking pictures?	16:25	
Larry Frost	Who's the principal of the school? I-I-I, no one identified themselves to me as principal of the school, so I don't...	16:35	
Detective Boomer	How about school staff? Did you tell school staff that you were photographing over there?	16:39	

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Larry Frost	Don't remember. I-I did talk to school staff but I don't remember what I said.	16:42	
Detective Boomer	Do you remember what school staff said to you about the photographing of the children?	16:46	
Larry Frost	I remember what Magdy, Magdy Rabeaa said to me roughly at least. But I don't necessary remember what school staff said to me. Several of them asked me why I was taking pictures.	16:53	
Detective Boomer	Mm-hum. Okay and d-do you remember them talking to you about how it was making the children and them feel harassed or threatened or anything like that? Do you remember any that?	17:03	
Larry Frost	Ah, I remember Magdy Rabeaa saying that, or words to that effect.	17:13	
Detective Boomer	Mm-hmm. And who do you know Magdy Rabeaa is?	17:16	

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Larry Frost	Ah, Magdy Rabeaa is a, I don't actually know what position he holds at the Dar Al Farooq Community Center right now because it's changed over time.	17:20	
Detective Boomer	Mm-hmm.	17:27	
Larry Frost	Ah, he has been a director there. He has been in charge of other things, so I don't know what his [inaudible] position was on the 23 rd , I couldn't tell you.	17:27	Audio recording of Frost interview 07:19
Detective Boomer	He's the principal. It's pretty, it's listed on his website. I mean. Yeah.	17:35	
Larry Frost	Okay. [overlapping] I didn't look at the website.	17:36	Audio recording of Frost interview 07:30
Detective Boomer	Okay. Um, so y-you don't remember what Magdy said, specifically about that?	17:41	

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Larry Frost	Not specifically. I think I indicated just now what I thought he said in general.	17:47	
Detective Boomer	Mm-hmm. [overlapping] Mm-hmm. Do you remember responding to him after he said you know, the children feel threatened or anything like that or they feel harassed or intimidated? Do you remember what you said back to him?	17:50	
Larry Frost	Not for sure, but I believe I pointed to the kids who were running around playing and laughing and saying they don't look very threatened or harassed to me.	18:02	Audio recording of Frost interview 07:54
Detective Boomer	Ok, alright.	18:09	
Larry Frost	In fact, as, as, as I was speaking to Rabeaa, one of the kids, as I recall, again this is you know a month ago, one of the kids ran by and laughed and said something.	18:12	
Detective Boomer	Mm-hmm.	18:21	

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Larry Frost	To both Rabeaa and I.	18:22	
Detective Boomer	Mm-hmm.	18:23	
Larry Frost	I do know, I do remember that at one point, ah, Sally's grandkids, one of her granddaughters, was trying to climb wrong way up the slide, of course, and several of the other kids helped her up. I think I took pictures of that, I'm not sure.	18:25	
Detective Boomer	Mm-hmm, Okay.	18:37	
Larry Frost	But they certainly didn't look [inaudible]	18:38	
Detective Boomer	But that's, and, and that would have been the threat your talking about? I'm confused.	18:39	Audio recording of Frost interview 08:30
Larry Frost	Well, I didn't see any threat. I mean, the children, children certainly didn't look or feel threatened.	18:44	

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Detective Boomer	Oh, I'm talking about the threats that Sally feels when 'er that you said you were trying to document, like the threatening behavior, the dangerous behavior?	18:49	
Larry Frost	<p>No one said anything about at any time did I say anything about threatening behavior. Let's be very clear about that. I said, dangerous behavior. And I was very specific again when you're on large muscle activity equipment, and 10 and 12-years-olds are running around doing what 10 and 12-year-olds do.</p> <p>I don't know if you have kids, I have kids. I have kids that are older now, they run around and they jump and they knock, in fact several times while I was there I watched people get knocked over on this large muscle play. Fortunately, it was bigger kids with bigger kids.</p>	18:56	Audio recording of Frost interview 09:05
Detective Boomer	Okay [overlapping]. Mm-hmm.	19:02	
Larry Frost	That's the issue. That's why the State has a separation rule that says 3-year-old kids shouldn't be on large muscle equipment at schools with older kids. Not because they're being threatened, but because just kids	19:25	

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	doing what they do, presents the risk of getting knocked over, knocked off the equipment, all that.		
Detective Boomer	Okay. And you said Sally wasn't, um, taping or anything like that?	19:40	
Larry Frost	I didn't. I said to the best of my knowledge Sally didn't have a camera there with her. I didn't say taping or anything else.	19:48	
Detective Boomer	Ok. Um. well taping, photographing...	19:54	Audio recording of Frost interview 09:45
Larry Frost	No.	19:57	
Detective Boomer	...recording, documenting?	19:57	
Larry Frost	No. [overlapping] To the best of my knowledge she didn't have a camera there, but I wasn't watching, so I don't know.	19:58	

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Detective Boomer	Okay. Um.	20:03	
Larry Frost	You know, I wasn't sitting watching her all the time, is what I mean.	20:04	
Detective Boomer	Oh, okay. Alright. Um. So, let me. What happened, um, when, ah, the police showed up? Did you talk to the officer at all?	20:07	
Larry Frost	The only thing I said to the officer I believe is as he was leaving, he didn't, he didn't talk to me at all. [inaudible]	20:22	
Detective Boomer	Mm-hmm. [overlapping] Oh, okay.	20:26	Audio recording of Frost interview 10:19
Larry Frost	Ah, I believe I said why are you here? And he said, we get called sometimes. Well, [inaudible]	20:29	
Detective Boomer	Mm-hmm.	20:34	

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Larry Frost	That's my recollection.	20:34	
Detective Boomer	Okay. And my understanding that shortly thereafter the children all, they cut recess short and they all went inside.	20:35	
Larry Frost	Um. Shortly thereafter all the kids went inside.	20:42	
Detective Boomer	Mm-hmm.	20:45	
Larry Frost	As of the, as of that day, I didn't know whether they were cutting it short or not. Sally told me as we walked back from the park that, that they had not gone in at their normal time. But that's, I don't know what the normal times are.	20:45	
Detective Boomer	Okay.	20:56	
Larry Frost	And in fact both the City and Dar Al Farooq refuse to say what their normal times are, so there's no way I could know.	20:56	

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Detective Boomer	Mm-hmm [overlapping] Okay. Um, so when the kids went inside, did you guys see, did she continue to get the large, did you guys stay and document the large muscle activity that the children are doing on the playground or anything like that?	21:01	
Larry Frost	I don't recall how long I stayed after that. Um, I-I can't recall when the police officer left either. I think he left before they were calling them in from recess, but I'm not sure.	21:14	Audio recording of Frost interview 11:05
Detective Boomer	Okay.	21:27	
Larry Frost	Because at that point, I walked to the parking lot to get a picture of the two police cars that were there. Ah, but, I don't recall the specific timing.	21:27	Audio recording of Frost interview 11:19
Detective Boomer	Okay. Alright. If I told you that there's camera footage of you guys leaving as soon as the children went inside would that sound accurate to you?	21:36	Audio recording of Frost interview 11:26

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Larry Frost	I don't know what would sound accurate. I don't, I – you've told me a hypothetical. Cameras say whatever the cameras says.	21:42	
Detective Boomer	So th-the video camera, the video footage from the officer's squad cam shows that as soon as the children went in, you guys left the park.	21:47	
Larry Frost	Okay, if that's what it shows, that's what it shows.	21:55	
Detective Boomer	Okay. So you don't feel that there's any more documentation needed if there was no children outside?	21:57	
Larry Frost	Kind of obvious if you're trying to document, the problem with interactions a 3-year-olds with 10-year-olds, and the 10-year-olds aren't there anymore.	22:03	Audio recording of Frost interview 11:54
Detective Boomer	Mm-hmm. [overlapping] Is that your first time going to the park?	22:08	
Larry Frost	No.	22:15	

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Detective Boomer	To photograph?	22:15	
Larry Frost	No. I have been to the park at other times.	22:16	
Detective Boomer	How about to photograph?	22:17	
Larry Frost	Not to my recollection. Not, I believe, this could be after the 23 rd . I believe I took some photographs of the berm, ah, at the sound end of the park where John Alford dumped a bunch of concrete illegally and the City didn't build a berm over it. But the best of my recollection, no one there but squirrels and birds.	22:20	
Detective Boomer	Mm-hmm. [overlapping] Okay.	22:35	
Larry Frost	[inaudible]	22:45	

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Detective Boomer	How about, um, have you document the playground at any other time when there have been, um, children other than the kids from Dal-Dar Al Farooq on the playground playing?	22:46	
Larry Frost	Actually, first of all, all the kids there were not all from Dar Al Farooq. There were other kids there. Um, the day on the 23 rd .	22:55	
Detective Boomer	Yeah, but you were there specifically during their recess time, so I'm asking if, and you're talking about the violation of schools and how schools have rules and the State has rules with schools not allowing children to interact. My question is-is, have you been there at Smith Park when the children from Dar, 'er, the children from Success Academy are not on the playground but there have been other children on the playground like just children from the community out playing? Have you been documenting any of those incidents of dangerous activity?	23:03	

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Larry Frost	The only, ah, Sally asked me to - Sally had expressed to me that she was just terrified of you guys. Reasonably I think given the constitutional violations she was involved in. Um	23:23	
Detective Boomer	Of us...	23:47	
Larry Frost	And...	23:48	
Detective Boomer	...being on us being on the playground?	23:48	
Larry Frost	No. You're-you're-you're threats. Threats by the Bloomington police department to charge her for harassment for visiting a public park and taking pictures there. Um.	23:50	
Detective Boomer	When did we do that? About being at the park?	24:00	Audio recording of Frost interview 13:53

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Larry Frost	You have– you have your police records officer Boomer, or Dectec– sorry Detective Boomer	24:03	Audio recording of Frost interview 13:55
Detective Boomer	Mm-hmm.	24:07	
Larry Frost	Um. So you can look those up. Um.	24:08	
Detective Boomer	Well that-that, that's inaccurate about the park, but okay.	24:11	
Larry Frost	Okay, that's fine. Um, actually I've actually present when officers have done that, so I-I have to disagree with you. But, ah, at any rate, ah, I think that is the interview. That covers the [inaudible]	24:15	
Detective Martin	You never answered the last question. [overlapping]	24:27	
Larry Frost	That's true.	24:29	
Detective Martin	So are you're refusing to answer that question?	24:31	

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Larry Frost	I don't think it's relevant. You asked me what, you wanted to know why I was at the park. You know, why I was at the park.	24:33	
Detective Boomer	I wanted to know if there's any other documented incidences or other instances of you documenting children.	24:38	Audio recording of Frost interview 14:30
Larry Frost	No, that's ends the interview.	24:42	
Detective Boomer	You're not going to answer that question? Okay.	24:44	Audio recording of Frost interview 14:34
Larry Frost	Do you wish to speak to Sally?	24:45	
Detective Boomer	Sure.	24:47	
Larry Frost	Hey, Sally, [inaudible]	24:49	
Detective Boomer	He's not going to answer those questions. That's okay.	24:54	

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Unknown	[inaudible]	24:56	
Detective Boomer	Well, now that we're done. We can after. I just have to say a couple things on this. Okay? The date is October 30, 2019. Time is 1106 hours. Location 8127 Oakland, Detective Boomer, also present Detective Martin, Caitlin Gokey, file number 19009444. And, ah, just, so ah, people were talking to you, um, just for the record state your full name. Okay?	24:59	
Sally Ness	Sally Ness	25:31	
Detective Boomer	Is that your full name?	25:32	
Sally Ness	Sally Dee Gore Ness.	25:33	
Detective Boomer	Dee, ah, Gore - can spell Gore for me?	25:38	

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Sally Ness	G-O-R-E	25:40	
Detective Boomer	Okay. And Ness is N-E-S-S?	25:41	
Sally Ness	Yep.	25:43	Audio recording of Ness interview 00:38
Detective Boomer	And when is your birthdate?	25:44	Audio recording of Ness interview 00:37
Sally Ness	5-10-60.	25:45	
Detective Boomer	6-0?	25:47	
Sally Ness	Yep.	25:48	
Detective Boomer	Gotcha.	25:49	

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Larry Frost	[inaudible]	25:49	
Detective Boomer	And this is, um, ah, your address is 8127 this is your home?	25:50	
Sally Ness	Yes.	25:56	
Detective Boomer	8127 Oakland. Okay, what's a good phone number for you, Sally?	25:56	
Sally Ness	612-987-4425	25:59	
Detective Boomer	Okay. Alright. So, um, so just to get a few things out of the way. I'm here talking to you about a case where you were named a suspect in a harassment case. And, um, you asked us to come to your home. Is that correct?	26:05	Audio recording of Ness interview 00:58
Sally Ness	Yes.	26:21	
Detective Boomer	And this is where you wanted to do the interview?	26:21	

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Sally Ness	Yes.	26:23	
Detective Boomer	Okay. So just you know at any time you don't have to answer our questions. Um. You're not under arrest. and I'm not going to arrest you today. When we're done, we're leaving and you're gonna' be free to go on about your business. Okay?	26:24	
Sally Ness	Okay.	26:35	Audio recording of Ness interview 01:29
Detective Boomer	Alright, um, so you know that Detective Martin and ah, Ms. Gokey and I were here last year, well little bit maybe about, about a year and three months ago we were here talking to you about an incident that happened over in the parking lot and then out in the street. Is that correct?	26:35	
Sally Ness	Um, en-...	26:53	

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Detective Boomer	Regarding some...	26:54	
Sally Ness	...the park, it was park.	26:55	
Detective Boomer	The park and then also the parking lot and then talking to kids and motioning over to homes of where they lived?	26:57	
Sally Ness	Four [overlapping], four kids approached me.	27:02	
Detective Boomer	Mm-hmm.	27:05	
Sally Ness	One said my name.	27:05	
Detective Boomer	Mm-hmm.	27:06	
Sally Ness	I engaged with them.	27:07	
Detective Boomer	Mm-hmm.	27:08	

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Sally Ness	They, in the discussion, the one pers-, one of, I heard one child say are you afraid of her? And I said we know each other.	27:09	
Detective Boomer	Mm-hmm.	27:18	
Sally Ness	You guys live in those homes right there. Um, and then I left the park. And as I was leaving I took pictures.	27:18	
Detective Boomer	But you remember us talking to you right?	27:26	
Sally Ness	And I since you're recording and I'm recording it, I want it to be accurate...	27:28	
Detective Boomer	Ah.	27:32	
Sally Ness	...what happened.	27:32	
Detective Boomer	Mm-mmm.	27:33	

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Sally Ness	And then when I was leaving I took pictures of the over use of the and non-compliance use of the Dar Al Farooq.	27:33	
Detective Boomer	Okay.	27:37	
Sally Ness	And I was with [inaudible and overlapping]	27:38	
Detective Boomer	At that time when Detective Martin and I were at your house and we talked to you about how your behavior made those children feel. Is that true?	27:40	
Larry Frost	Don't answer that question Sally.	27:48	
Detective Boomer	Okay. Um, and for the record also present is, ah, Sally's civil attorney Larry Frost. Um. Okay. Well, for the record, we did talk to you about how those actions made people feel. And we explained to you that, um, it was, it was harassing behavior and it was making the children feel frightened and threatened by speaking with them and motioning to	27:52	Audio recording of Ness interview 02:46

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	their home and it caused alarm in them. Um. And Detective Martin witnessed that and so did Ms Gokey. Um. Now we...		
Sally Ness	Did you guys look at the video?	28:27	
Detective Boomer	The video from what?	28:30	
Sally Ness	From the park that day.	28:31	
Detective Boomer	You wouldn't show it to us.	28:32	
Sally Ness	No, the video from Dar Al Farooq and from the park to show whether or not these children were frightened at that time.	28:33	
Larry Frost	There were cameras. There were cameras. They have cameras. The City has cameras showing different areas.	28:41	
Sally Ness	The City has cameras.	28:45	

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Detective Boomer	Th-th-they don't it doesn't pick up sound.	28:46	
Larry Frost	[inaudible]	28:48	
Sally Ness	Well, no but it picks up what they did. You know. They were riding bikes. They were enjoying the time. It would pick up that stuff. It-, it would, you know, show...	28:48	Audio recording of Ness interview 03:43
Detective Martin	So you can tell by the way someone walks or moves that their frightened or not, is that what you're suggesting?	28:58	Audio recording of Ness interview 03:53
Sally Ness	I, I just asked if you guys looked at the video because it would show what happened that day. And you had two videos, one from Dar Al Farooq and one from the park. And the children afterwards I said hi to them, waved to them, so...	29:02	
Detective Martin	So what's your point to ask if they saw the video?	29:18	

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Sally Ness	If you'd looked at...	29:21	
Larry Frost	Sally don't answer that question [overlapping] Let me ask you something. Um, I don't know what the City objective here is. But if, if my client were to agree not to take photographs in the future would the City agree to end this investigation?	29:21	
Detective Boomer	If she agrees to stop taking pictures of children in the park?	29:36	
Larry Frost	Stop taking pictures of Dar Al Farooq in general.	29:37	
Detective Boomer	We're talking about the Success Academy there two separate people.	29:42	
Larry Frost	Well but there the same, [inaudible] [overlapping]	29:45	
Detective Boomer	I mean, their two separate groups. There's a school and there's a community center/mosque.	29:47	

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Larry Frost	But they're the same place. You can't take pictures of the building within it, without taking [inaudible] but– That's not the question. Is-is the County, I guess, interested in-in resolving this, by having Sally agreed not to take pictures of the in the future?	29:52	Audio recording of Ness interview 04:47
Detective Boomer	I, I don't know what the Cities- the City wants. We're investigating complaints from citizens, not from the City. That would be something that, ah, you, you would have to ask the City. Um, but the City isn't handling this investigation. This – the, and I'm - when you say the City, that's a large entity, are you talking Mayor, or are you talking -	30:08	
Larry Frost	You're, you're, [overlapping] you're part of the City. I assume, yes?	30:25	
Detective Boomer	Yeah, I'm the police department. [overlapping] Mm-hmm.	30:28	
Larry Frost	The City, yes, you are part of word y'all. And your charging agent which would be, I'm not sh-. You said had to talk to someone at the County, so I'm not sure if the charging attorney is the City Attorney or County Attorney in this case.	30:28	

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Detective Boomer	This was the County Attorney.	30:40	
Larry Frost	The County Attorney, so you're investigating for the County. Okay well in that case is the County Attorney interested in resolving this issue by having Sally agree not to take pictures in the future? It's a pretty simple question.	30:41	
Detective Martin	That's something that would have to be discussed with the County.	30:53	
Larry Frost	Right.	30:56	
Detective Martin	You would have to discuss that [inaudible]. We have not had that question come up so. And they'll, they would make that determination so, the county, yes or no...	30:56	Audio recording of Ness interview 05:51
Detective Boomer	And the County isn't the victim, it's – it's actually the people who made the police report. So we would have to actually, this would have to be a huge conversation that we would have to have with the, the community	31:06	Audio recording of Ness interview 06:01

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	<p>center, the mosque, and the school. Um, so that, and at this point that's really not on the table.</p> <p>This investigation, I have to finish the investigation and go forward and present it to the County, that's just, that's how it works. Once it's presented, then if, there's options of you know, not charging or dropping the charges based off an agreement or something that was um, [inaudible] come upon between Sally and the school, then, that's you guys can work out. But we're not going to handle that, so we don't do that kind of stuff.</p>		
Larry Frost	I think the best thing at this point is to end the interview. And let's– [overlapping]	31:51	Audio recording of Ness interview 06:46
Sally Ness	No, because then I'd have to come back in. [overlapping] Um, I wanna' make a comment too, to just clarify. You guys came over last year, and I- I made it clear. I did not take a video or pictures of those, of four people in the park. I took pictures as I left of the Dar Al Farooq overuse and non-compliant use of the property. This...	31:55	

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Larry Frost	Sally, let's, let's stop there. Let's stop there.	32:22	
Sally Ness	No. [overlapping]	32:24	
Larry Frost	Sally, let's stop there.	32:24	
Sally Ness	Because I'll have to come back in.	32:26	
Larry Frost	Sally, we gotta stop here. We've, we've got to get ahold of Bill, and we've gotta talk to him, as a matter of law. So that, that will end this interview.	32:28	
Detective Martin	Sally, do you...	32:36	
Detective Boomer	Do you want to keep talking to us?	32:36	
Sally Ness	I do want to keep talking.	32:38	

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Larry Frost	Sally, no. You need not to this.	32:38	
Detective Boomer	It's up to you whether you want to talk or not Sally.	32:42	Audio recording of Ness interview 07:38
Sally Ness	I know I need [overlapping]. I do.	32:42	
Larry Frost	[inaudible]	32:45	
Sally Ness	No, no the kids are coming in 15 minutes. Tell me when they ask me a question you don't want me to answer.	32:47	
Larry Frost	Don't answer any more questions and don't make any...	32:52	
Sally Ness	Let ask, let them ask [overlapping]	32:53	
Larry Frost	And don't make any more statements.	32:54	

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Sally Ness	I won't-w-	32:57	Audio recording of Ness interview 07:52
Larry Frost	Sally...	32:57	
Sally Ness	I know, I disagree. I want the questions to be asked. Because again, last year you came over and asked if I videotaped and I did not.	32:58	
Detective Boomer	Mm-hmm. Okay.	33:07	Audio recording of Ness interview 8:02
Sally Ness	I did not videotape.	33:09	
Detective Boomer	Okay. We have that on record. [overlapping]	33:12	Audio recording of Ness interview 8:06
Sally Ness	And you, and you guys had two videos to look at to prove I did not videotape. So ask me the next question.	33:14	

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Detective Boomer	Okay. We're not, we're not charging on that case. I'm just asking if you remember us coming and talking to you about it.	33:20	
Sally Ness	Yeah, and, and, and then...	33:24	
Detective Boomer	And that's not the case you're talking about. [overlapping]	33:25	
Sally Ness	Yeah and, and then, and then hopefully you guys didn't pursue it because you saw I did not tape. I, you saw the videos, you understood what happened, four children approached me.	33:25	
Larry Frost	[inaudible and overlapping]	33:37	Audio recording of Ness interview 08:31
Sally Ness	The okay, ask a question.	33:38	
Detective Martin	[inaudible] But you did take photos, though right?	33:39	Audio recording of Ness interview 08:34

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Sally Ness	Of a parking lot.	33:41	
Detective Martin	Were there kids in the photos when you took those?	33:42	
Sally Ness	Not any of those four children. Later when I looked at the pictures there was a young child of a woman who was sitting in her car. And she was hidden behind a tree. And there was a little portion of this young blond child and nothing to do with the four children.	33:44	
Detective Boomer	Okay. So we want to talk to you, I-um, we want to talk to you about the reports that were made then this school year., Um, starting on the first day of school which was August 26 th . Um, which was the day that some schools started in the state, some didn't. Um, and you were in a vehicle in um, someone's driveway, ah, filming the busses and the students coming to school. Do recall that day? [overlapping]	34:00	Audio recording of Ness interview 08:53
Larry Frost	Don't answer the question, Sally. Don't answer that question. They have the record already. Don't answer that question.	34:21	Audio recording of Ness interview 09:16

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Sally Ness	Okay. Ask another question.	34:27	
Detective Boomer	Okay, um, do you recall talking to Sgt. Roepke on that day?	34:29	
Sally Ness	That would have been the 27 th .	34:34	
Detective Boomer	Okay, the - yeah, there was the 26 th and then the 27 th and so the officer came on the 27 th .	34:36	
Sally Ness	Yes, I talked to, I remember talking with the officer, yes.	34:41	
Detective Boomer	Okay. Um...	34:44	
Larry Frost	Are you sure it was officer Roepke? Do you remember that?	34:45	
Sally Ness	Oh, no I don't know.	34:47	
Detective Boomer	It's an officer.	34:48	

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Sally Ness	I talked to an officer and he probably has it recorded so you guys would know that.	34:49	
Detective Boomer	So Sgt. Ropeke asked you, um, you know, what you were filming, and you replied back to him, you know, you were filming the busses and video- and the students. Um, and then he asked you if you'd ever, if you'd gone to any other schools to film. Have you gone to any other schools to film...	34:53	
Larry Frost	Don't answer that question, Sally.	35:10	
Detective Boomer	...students coming in late to school?	35:11	
Larry Frost	Don't answer that.	35:13	
Sally Ness	I won't answer that.	35:14	Audio recording of Ness interview 10:09

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Detective Boomer	Okay. Um, because you said why would I. You claimed that you hadn't, so.	35:15	
Larry Frost	Don't respond to that Sally. [inaudible]	35:21	Audio recording of Ness interview 10:15
Detective Boomer	And I'm just throwing it out there that, you know, I'm not sure what you were documenting, but what were you trying to document at that point?	35:22	
Sally Ness	I do want to answer this. I was documenting the unsafe conditions of the Dar Al Farooq pick up and drop off. That is on record, they are supposed to have a setup that is safe for the children and it is not.	35:29	
Detective Boomer	Okay, so that, that, that's what you're documenting, because you told [inaudible]	35:47	
Sally Ness	I was also documenting that the chil –the lateness of the students, yes,	35:50	

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Detective Boomer	Okay.	35:57	
Sally Ness	And, and if, when you guys leave, take a picture across the street, and you'll see that you cannot identify anyone in it, in those pictures. If you take your camera, you see what kind of camera I have, take a picture and you'll notice that you cannot identify any children. It is just, you, you see there's a person and that person's late.	35:58	
Detective Boomer	Um, and on that day, um, Sgt. Roepke said to you that this was harassing behavior, again. And he advised you of that.	36:22	
Sally Ness	He said it is, he, he clarified it was not, but to be careful and read the statute.	36:29	
Detective Boomer	He said, he said it could be construed as harassing behavior, is that [inaudible].	36:38	
Larry Frost	Is it your recollection Sally, he said it's not harassing behavior?	36:41	

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Sally Ness	It's my recollection.	36:43	
Detective Boomer	Okay, fine. And I may be, you know, I'm not, I'm not speaking here quote for quote, he talked about the behavior being viewed as that, and that you needed...yes, he did mention something about checking the statute.	36:44	Audio recording of Ness interview 11:39
Sally Ness	And checking the...[overlapping]	36:56	Audio recording of Ness interview 11:50
Larry Frost	Sally, you need to conclude now. [inaudible]	36:57	Audio recording of Ness interview 11:52
Sally Ness	No, I want to keep [inaudible]. What's next?	36:58	Audio recording of Ness interview 11:54
Detective Boomer	Okay, um, there was a report that you were back a couple weeks later filming again, at drop off. I mean, yeah, the beginning of school. Do you	37:01	

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	recall, um, maybe it was around September 10th, 11th, 12th, like the second or third week of school?		
Larry Frost	Just don't respond to that, Sally. [inaudible] You don't even remember the dates, so–	37:20	Audio recording of Ness interview 12:14
Detective Boomer	Did you, did you go back and film more drop off times?	37:25	
Larry Frost	Don't answer that, Sally. Let's step outside. Step outside.	37:29	Audio recording of Ness interview 12:28
Larry Frost and Sally Ness	[inaudible]	37:34	
Detective Boomer	Okay, let's move forward to, um, the day of September 23rd, which, um, we know that that was a day that you were over at the park, ah, with Mr. Frost and you had your grandchildren over there. And the police were called, we have a police report on that date, so it's documented that was	38:14	

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	the date, whether you remember the date or not, that's fine. Um, what was your purpose for going over to the park that day?		
Sally Ness	I wanted the attorney to observe...	38:38	
Detective Boomer	Mm-hmm.	38:41	
Sally Ness	...the dangerous conditions for preschool children. I have a three-year-old, I watch a three-year-old, a two-year-old, and two eighteen-month-old.	38:42	
Detective Boomer	Mm-hmm.	38:50	
Sally Ness	And so I wanted him to see specifically when we got to the park how the kids go on the equipment, which is needed to get their large muscle activity, and then when the students come out, how they get off the equipment. Notice their demeanor, the fear that they have in them.	38:51	

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Detective Boomer	Mm-hmm.	39:13	
Sally Ness	Um, specifically I wanted...	39:13	
Larry Frost	Just stop there, Sally. That's fine.	39:15	
Detective Boomer	Okay, so you wanted to bring your grand-, are they your grandchildren, or are they just, are they your...	39:17	
Sally Ness	They're grandchildren.	39:24	
Detective Boomer	Okay, so, I don't want to mis-state. So you wanted to bring your grandchildren over there and then have the Dar Al Farooq or, I'm sorry, the Success Academy kids come out, and you wanted to document your grandchildren's fear?	39:25	
Sally Ness	I wanted the attorney to see what happens...	39:37	

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Detective Boomer	Mm-hmm.	39:41	
Sally Ness	...when the grandchildren use the playground...	39:41	
Detective Boomer	Mm-hmm.	39:45	
Sally Ness	...and a school comes out and uses the playground [inaudible]	39:45	
Larry Frost	Stop there, Sally.	39:49	
Detective Boomer	Okay. Why would you bring your grandchildren over there if you're so afraid of these children?	39:52	
Larry Frost	Don't answer that question, Sally.	39:58	
Detective Boomer	It makes no sense to me, does it make sense to you?	40:00	
Unknown	[inaudible]	40:04	

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Detective Martin	No, not if you're placing your–If you think it's unsafe, and you are specifically placing your grandchildren in harm's way? I mean if you think it's unsafe, I guess I'd like to know why you would put them– if you think it's dangerous, why would you take them over there?	40:06	
Larry Frost	Don't answer that question, Sally.	40:19	
Detective Martin	Sally, do you have access to, are you handicapped at all?	40:22	Audio recording of Ness interview 15:17
Larry Frost	Don't answer the question, Sally.	40:28	
Detective Martin	Well, do you have access to take your kids to any of the other parks in Bloomington?	40:30	
Larry Frost	Don't answer that question, Sally.	40:38	

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Sally Ness	[inaudible] I'm not...	40:43	Audio recording of Ness interview 15:38
Detective Boomer	Okay, um, do you have access to bring the children over there at other times during the day?	40:44	
Larry Frost	Don't answer that question.	40:50	
Detective Martin	Are you going to answer any more questions?	40:53	
Larry Frost	I've advised my client not to answer anymore questions.	40:55	Audio recording of Ness interview 15:50
Sally Ness	Um, it depends, on the question. He said not to on that one, so. Go ahead.	40:55	

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Detective Boomer	Have you ever brought your children over there at other times during the day, or I'm sorry, your grandchildren, at other times during the day when the Success Academy kids have not been on the playground?	41:01	
Larry Frost	Don't answer that question, Sally.	41:08	
Detective Boomer	It tells a lot when you don't want her to answer the questions.	41:12	
Larry Frost	No, it doesn't tell anything actually.	41:13	
Detective Boomer	Um, so, have you gone over there when...	41:17	
Larry Frost	Officer, are you implying that [inaudible] I have a question for you. [overlapping]	41:21	Audio recording of Ness interview 16:15
Detective Boomer	I'm talking to Sally. [overlapping]	41:24	

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Larry Frost	Are you imply, no, you just said something. Are you implying that my client's failure to answer you, somehow implicates her in anything criminal?	41:25	
Detective Boomer	Not her, it's, it's, it's playing to your whole demeanor.	41:32	
Larry Frost	That's clearly the implication in both your demeanor and your statement, that failure to answer your questions [inaudible and overlapping]	41:35	
Detective Boomer	Can I continue to talk 'cause... [overlapping]	41:40	
Larry Frost	[inaudible]	41:41	
Detective Boomer	[inaudible] Um, um, have you documented your grandchildren over there when children in the community were playing?	41:44	
Larry Frost	Don't answer that question, Sally.	41:50	

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SPEAKER	TRANSCRIPTION	TIME	OTHER AUDIO UTILIZED FOR TRANSCRIPTION PURPOSES
Detective Boomer	Have you documented your grandchildren over there at any other times during the day?	41:56	
Sally Ness	Yes. [overlapping]	42:01	
Larry Frost	Don't answer that question, Sally. [overlapping]	42:02	
Detective Boomer	So yes, you have. Alright. Um...	42:04	
Sally Ness	I mean you, uh...	42:10	
Larry Frost	Stop the interview Sally.	42:12	Audio recording of Ness interview 17:07
Sally Ness	No, this is, this is good. Um, what else did do you need? What else do you want information about?	42:14	

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SPEAKER	TRANSCRIPTION	TIME	OTHER AUDIO UTILIZED FOR TRANSCRIPTION PURPOSES
Detective Boomer	When the children from Success Academy went back into the school, did you continue to stay on the background play with your grandchildren?	42:20	
Larry Frost	Don't answer that question, Sally.	42:29	
Sally Ness	Um, there'd be video.	42:31	
Larry Frost	That's fine. Let them [inaudible] their own way with it.	42:34	Audio recording of Ness interview 17:28
Sally Ness	And I personally think we did stay I...	42:38	Audio recording of Ness interview 17:33
Larry Frost	[inaudible] It doesn't matter.	42:43	

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SPEAKER	TRANSCRIPTION	TIME	OTHER AUDIO UTILIZED FOR TRANSCRIPTION PURPOSES
Detective Boomer	When you were on the playground that day, um, and you had your phone and um, you were holding it up, were you, were you videotaping or taking any photos on that day, Sally?	42:46	
Larry Frost	[inaudible]	42:58	
Sally Ness	[inaudible]	43:02	
Detective Boomer	[inaudible] He said he didn't know if she did. [inaudible]	43:17	
Sally Ness	Um, yeah, I took, um, just like I'm doing now.	43:26	
Detective Boomer	Sure.	43:29	
Sally Ness	That's what I did whenever I saw him talking to somebody because I wanted to know, I wanted to record what the conversation was [inaudible]	43:30	

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SPEAKER	TRANSCRIPTION	TIME	OTHER AUDIO UTILIZED FOR TRANSCRIPTION PURPOSES
Larry Frost	To clarify, what you're saying is you took pictures of me, but no one else [inaudible]	43:37	Audio recording of Ness interview 18:32
Sally Ness	I didn't take... [overlapping]	43:40	
Larry Frost	Whoever I was talking to... [overlapping]	43:41	
Sally Ness	I didn't take pictures, I did this. Recorded, I didn't, you know, try to get, you know, I, you know like I tried to not get you in the, I'm not, you know, putting it in your face.	43:42	Audio recording of Ness interview 18:36
Detective Boomer	Did you hold it up at any time, like this?	43:53	
Sally Ness	I don't recall.	43:55	
Detective Boomer	Okay, that's fair. Um...	43:56	

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SPEAKER	TRANSCRIPTION	TIME	OTHER AUDIO UTILIZED FOR TRANSCRIPTION PURPOSES
Detective Martin	And so you were just audiotaping not videotape?	44:01	Audio recording of Ness interview 18:56
Sally Ness	I was trying to just audio tape.	44:03	
Larry Frost	And to be clear, you were trying to audiotape me talking to other adults?	44:06	
Sally Ness	And it was, when I was, the two children, the youngest ones did not want to be at the park anymore. And they went into the wagon, so, I was, they were in the wagon and so I was doing this, you know.	44:08	
Detective Martin	Are there any other recordings going on in the room, besides your phone right now?	44:23	
Larry Frost	Don't answer that question. It's your house. Don't answer.	44:30	Audio recording of Ness interview 19:22

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SPEAKER	TRANSCRIPTION	TIME	OTHER AUDIO UTILIZED FOR TRANSCRIPTION PURPOSES
Detective Boomer	Okay. Um, have you been over to the park since the day of September 23rd?	44:34	Audio recording of Ness interview 19:29
Sally Ness	Yes.	44:40	
Detective Boomer	[inaudible] Can you estimate how many times or at what times during the day?	44:42	
Sally Ness	Very seldom.	44:48	
Larry Frost	Don't answer beyond that. That's fine. You have been there. You don't remember how often.	44:49	Audio recording of Ness interview 19:44
Sally Ness	I won't...	44:53	
Larry Frost	Just don't, Sally. You need to end the interview now, Sally.	45:00	

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SPEAKER	TRANSCRIPTION	TIME	OTHER AUDIO UTILIZED FOR TRANSCRIPTION PURPOSES
Sally Ness	Okay, go ahead.	45:04	Audio recording of Ness interview 19:59
Detective Boomer	So very seldom you've been back over, um, and, uh, did you, did you go over and do any documenting on those days, on the very seldom days that you were over there?	45:06	
Sally Ness	No.	45:17	
Detective Boomer	No? Okay. Did you go over there with your grandchildren? Or do you remember?	45:18	Audio recording of Ness interview 20:12
Sally Ness	Yes.	45:20	
Detective Boomer	Playing on the playground?	45:21	
Sally Ness	Yes.	45:22	

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Detective Boomer	During the daytime hours, evening hours do you recall?	45:24	
Larry Frost	Don't answer the question. Stop the interview, Sally. You don't, you don't understand where this is going, but I, please stop the interview.	45:27	
Sally Ness	Um, but then you'll be calling me back in, which is really a big inconvenience for me because as you can see there's somebody waiting to come and you guys were fifteen minutes late so, finish what else you need to do. 'Cause I cannot do this again.	45:34	
Detective Boomer	Any more questions?	45:50	
Detective Martin	[inaudible] They're not answer any, so I don't have any.	45:50	Audio recording of Ness interview 20:44
Detective Boomer	Alright, we'll conclude the interview. The time is 11:27.	45:54	
Larry Frost	Was that, was that your son?	46:10	

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Sally Ness	Yeah, yeah.	46:11	
Larry Frost	[inaudible]	46:15	
Sally Ness	[inaudible] grandkids, yeah.	46:17	
Detective Boomer	Sally, I'm gonna give this to you. If you feel like talking to me, please give me a call or email me and we can set up a time that's[inaudible] for you.	46:20	
Sally Ness	Okay, thank you.	46:22	